GAU 1651 #1
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# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

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|---|---|
| Application Number | 09/327,761 |
| Filing Date | June 7, 1999 |
| First Named Inventor | Donald W. Petersen |
| Group Art Unit | 1651 |
| Examiner Name | Jean C. Witz |
| Total Number of Pages in This Submission: 4 | Attorney Docket Number: 99,501 |

## ENCLOSURES *(check all that apply)*

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment / Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Assignment Papers *(for an Application)*
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- [ ] Proprietary Information
- [ ] Status Letter
- [X] Other Enclosure(s) *(please identify below)*:

Election/Restriction (4 pages); return receipt post card.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|---|---|
| Firm or Individual name | Larry W. McKenzie Reg. No.: 28,239 |
| Signature | Larry W McKenzie |
| Date | 11-3-00 |

## CERTIFICATE OF MAILING

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Re: Patent Application

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Donald W. Petersen
Warren O. Haggard
Donald A. Randolph
Cary P. Hagan
Assignee: Wright Medical Technology, Inc.
Application No.: 09/327,761
Filed: June 7, 1999
For: Bone Graft Substitute Composition

Group Art Unit: 1651
Examiner: Jean C. Witz
Election/Restriction
Docket No.: 99,501



ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**ELECTION / RESTRICTION**

In response to the Office communication mailed October 4, 2000, please cancel claims 1, 5-7 and 9-11, and please amend claims 2, 8 and 12 as follows:

Claim 2 (amended). A bone graft substitute composition comprising:

(a) calcium sulfate;

(b) a mixing solution selected from the group consisting of sterile water, inorganic salts, and cationic surface active agents including sodium chloride, phosphate buffered saline, potassium chloride, sodium sulfate, ammonium sulfate, ammonium acetate, and sodium acetate;

(c) a plasticizing substance selected from the group consisting of cellulose derivatives including sodium carboxymethylcellulose, methycellulose, hydroxypropyl methylcellulose, ethylcellulose, hydroxethylcellulose and cellulose acetate butyrate, and higher molecular weight alcohols including glycerol and vinyl alcohols; and [The bone graft substitute composition of claim 1 in which is included]

(d) demineralized bone matrix.

Claim 8 (amended). A bone graft substitute composition comprising:

(a) calcium sulfate;

(b) a mixing solution selected from the group consisting of sterile water, inorganic salts, and cationic surface active agents including sodium chloride, phosphate buffered saline, potassium chloride, sodium sulfate, ammonium sulfate, ammonium acetate, and sodium acetate;

(c) a plasticizing substance selected from the group consisting of cellulose derivatives including sodium carboxymethylcellulose, methycellulose, hydroxypropyl methylcellulose, ethylcellulose, hydroxethylcellulose and cellulose acetate butyrate, and higher molecular weight alcohols including glycerol and vinyl alcohols; and [The bone graft substitute composition of claim 1 in which is included]

(d) a bioactive agent selected from the group consisting of demineralized bone matrix, growth factors, hyaluronic acid, bone morphogenic proteins, bone autograft, therapeutic agents, analgesics, and bone marrow, bone allograft, and parenchymal and mesenchymal cells.

Claim 12 (amended). A bone graft substitute composition comprising:

(a) approximately 80-120 parts medical grade calcium sulfate hemihydrate by weight;

(b) approximately 21-250 parts sterile water by weight; and

(c) approximately 1-40 parts sodium carboxymethylcellulose by weight; and [The bone graft substitute of claim 11 in which is included]

(d) approximately 10-100 parts demineralized bone matrix by weight.